

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CoxCom, Inc. dba Cox Communications,) Case No.: **1:05-cv-30107 KPN**

New England)

("Cox"))

Plaintiff,)

vs.)

Bill Langlois)

Defendant)

**AMENDED ASSENTED TO MOTION TO
POSTPONE CONFERENCE**

NOW COMES the Plaintiff in the above-captioned case and at the request of, and with the assent of the Defendant, it respectfully requests that this Court postpone the case management conference presently scheduled for April 12, 2006 to some date at least two weeks further on. This Motion amends the prior related Motion, which erroneously listed the date of the scheduled hearing as April 14, 2006.

As grounds, the Plaintiff states:

1. The Defendant will be out of state on business on April 12, 2006.
2. When the Defendant assented to the recent Motion to Extend Discovery he let it be known that he would be out of state on business for an extended period of time in April and that he would not be able to make hearings if they were set at that time.
3. Plaintiff agreed that if any hearing was scheduled while the Defendant was out of state the Plaintiff would make a motion (this Motion) to postpone a hearing during that time.

Certification pursuant to LR D. Mass 7.1 (A) (2)

Plaintiff's counsel certifies that he has conferred with Defendant and that the Defendant not only fully assents to this Amended Motion, but this Motion is actually being made at the request of the Defendant

In further support of this motion, see affidavit of John M. McLaughlin

Respectfully Submitted for the Plaintiff,
By Its Attorney

3/22/2006

Date

/s/ John M. McLaughlin

John M. McLaughlin (BBO: 556328)

Green, Miles, Lipton & Fitz-Gibbon LLP

77 Pleasant Street

P.O. Box 210

Northampton, MA 01061-0210

(413) 586-0865

CERTIFICATE OF SERVICE

I, John M. McLaughlin, attorney for the Plaintiff, hereby certify that on the 22nd day of March 2006, a copy of the foregoing Motion and Affidavit were sent via first class mail to:

Bill Langlois
158 Sturbridge Road
Holland, MA 01521

/s/ John M. McLaughlin
John M. McLaughlin

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CoxCom, Inc. dba Cox Communications, Case No.: **1:05-cv-30107 KPN**
New England)
(“Cox”))

Plaintiff,)

vs.)

Bill Langlois)

Defendant)

**AFFIDAVIT IN SUPPORT OF AMENDED
ASSENTED TO MOTION TO POSTPONE
CONFERENCE**

1. I am John M. McLaughlin, Counsel for the Plaintiff in this civil action.
2. The Defendant has told me that he will be out of state on business on April 12, 2006.
3. When the Defendant assented to the recent Motion to Extend Discovery, he let it be known to me that he would be out of state on business for an extended period of time in April and that he would not be able to make hearings if they were set at that time.
4. On behalf of the Plaintiff, I agreed that if any hearing was scheduled while the Defendant was out of state the Plaintiff, through me, would make a Motion to Postpone a hearing during that time.
5. At the request of the Defendant, I have now made an Amended Motion to Postpone the conference scheduled for April 12, 2006 and this Affidavit is in support of that Motion.

Subscribed and sworn to, under the pains and penalties of perjury, this 22nd day of March, 2006.

/s/ John M. McLaughlin

John M. McLaughlin (BBO: 556328)

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